

PB# 90-59

HAROLD BAXTER

32-2-71

Approved
9/3/91

)
)

)
)

General Receipt 11799

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

December 26 1990

Received of Baxter Farm \$ 25.00

Twenty five and 00/100 DOLLARS

For Planning Board Application Fee # 90-59

DISTRIBUTION

FUND	CODE	AMOUNT
CB# 5261		25.00

By Pauline S. Townsend
Town Clerk
Title

Williamson Law Book Co., Rochester, N. Y. 14609

General Receipt 11798

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

December 26 1990

Received of Baxter Farm \$ 675.00

Six Hundred Seventy five and 00/100 DOLLARS

For Planning Board Assess Acct # 90-59

DISTRIBUTION Baxter Farm

FUND	CODE	AMOUNT
CB# 5262		675.00

By Susan Zuppi
Deputy Comptroller
Title

Williamson Law Book Co., Rochester, N. Y. 14609

No. 39 8-19 1991

Received from Mr. Baxter
Six Hundred Seventy Five 00/100 Dollars
for Sub-Div. fees

\$ 475. Lee Lupori

No. 38 8-19 1991

00

90-59

Map Number 10350

Section 32 Block 2 Lot 91

City Town Village N. Windsor

Title: Harold Bowler, Sr.

Rev.
Dated: 3-25/91 Filed 10-8-91

Approved by Ronald Lander

on 9-3-91

Record Owner Harold & Margaret N Bowler

MARION S. MURPHY
Orange County Clerk

(2 Sheets)

Fees Due as of 8/15/91 (m)

SUBDIVISION FEES:

PRE-PRELIMINARY PLAT:	\$100.00
PRELIMINARY PLAT:	100.00
FINAL PLAT: (\$100.00 + \$5.00/LOT)	125.00
FINAL PLAT SECTION FEE:	<u>150.00</u>
TOTAL:	\$ <u>475.00</u>

ENGINEER FEE: TO BE DEDUCTED FROM ESCROW

RECREATION FEE:

4 LOTS @ \$250.00 PER LOT: \$ 1000.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/27/91

PAGE: 1

LISTING OF PLANNING BOARD FEES
Escrow

FOR PROJECT NUMBER: 90-59
NAME: BAXTER, HAROLD
APPLICANT: BAXTER, HAROLD

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
12/26/90	5 LOT ESCROW	PAID		675.00	
08/16/91	P.B. ENGINEER FEE	CHG	468.50		
		TOTAL:	468.50	675.00	-206.50

Please issue a check in
the amount of \$206.50 To:

Baxter Farm
Mt. Airy Rd.
New Windsor, N.Y.
12553

Gave to LARRY R 9/3/91

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/22/91

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 90-59
 NAME: BAXTER, HAROLD
 APPLICANT: BAXTER, HAROLD

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	12/26/90	MUNICIPAL HIGHWAY	04/29/91	SUPERSEDED BY REV1
ORIG	12/26/90	MUNICIPAL WATER	12/27/90	APPROVED
ORIG	12/26/90	MUNICIPAL SEWER	04/29/91	SUPERSEDED BY REV1
ORIG	12/26/90	MUNICIPAL SANITARY . NEEDS ENGINEERED DRAWING FOR SEPTIC SYSTEMS	12/27/90	DISAPPROVED
ORIG	12/26/90	MUNICIPAL FIRE	01/02/91	APPROVED
ORIG	12/26/90	PLANNING BOARD ENGINEER	04/29/91	SUPERSEDED BY REV1
REV1	04/29/91	MUNICIPAL HIGHWAY	05/15/91	SUPERSEDED BY REV2
REV1	04/29/91	MUNICIPAL WATER	04/30/91	APPROVED
REV1	04/29/91	MUNICIPAL SEWER	05/15/91	SUPERSEDED BY REV2
REV1	04/29/91	MUNICIPAL SANITARY	04/29/91	APPROVED
REV1	04/29/91	MUNICIPAL FIRE	05/02/91	APPROVED
REV1	04/29/91	PLANNING BOARD ENGINEER	05/15/91	SUPERSEDED BY REV2
REV2	05/15/91	MUNICIPAL HIGHWAY	/ /	
REV2	05/15/91	MUNICIPAL WATER	05/16/91	APPROVED
REV2	05/15/91	MUNICIPAL SEWER	/ /	
REV2	05/15/91	MUNICIPAL SANITARY	05/15/91	APPROVED
REV2	05/15/91	MUNICIPAL FIRE	05/15/91	APPROVED
REV2	05/15/91	PLANNING BOARD ENGINEER	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/22/91

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
O [Disap, Appr]

FOR PROJECT NUMBER: 90-59

NAME: BAXTER, HAROLD
APPLICANT: BAXTER, HAROLD

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
05/14/91	WORK SESSION APPEARANCE	ADD SWALE/CON'T P.H.
05/08/91	PUBLIC HEARING HELD	L.A./CONT. P.H.
04/02/91	WORK SESSION APPEARANCE	SET FOR P.H.
01/16/91	P.B. APPEARANCE	TO RETURN

ANDREW S. KRIEGER
ATTORNEY AT LAW
219 QUASSAICK AVENUE
SQUIRE SHOPPING CENTER, SUITE 3
NEW WINDSOR, NEW YORK 12553

 (914) 562-2333

July 30, 1991

Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12553

Attn: Myra Mason

Re: Baxter Subdivision

Dear Myra:

This will confirm our telephone conversation of July 29, 1991, wherein I indicated that the notes contained on the proposed map were acceptable and that the map could be signed.

Thank you.

Sincerely,



ANDREW S. KRIEGER

ASK:mmt



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

27 June 1991

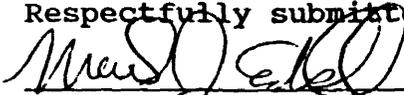
MEMORANDUM

TO: Andrew Kreiger, Esq., Planning Board Attorney
FROM: Mark J. Edsall, P.E., Planning Board Engineer
SUBJECT: BAXTER SUBDIVISION (90-59)
REVIEW OF REVISED PRIVATE ROAD MAINTENANCE AGREEMENT

Pursuant to your request, I have reviewed the latest version of the Private Road Maintenance Declaration for the Baxter Subdivision, dated 13 June 1991. It is my opinion that this version of the declaration is acceptable for the proposed subdivision.

If you have any further questions concerning this matter, please do not hesitate to contact me.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

cc: Carl Schiefer, Planning Board Chairman ✓

A:6-27-E.mk

*Private Road Agreement
Copies of Descriptions of Deeds*

PUBLIC HEARING CONTINUATION: BAXTER SUBDIVISION (90-59)
JACKSON AVENUE

Mr. Ronald Washburn came before the Board representing this proposal.

MR. SCHIEFER: Last week, we didn't close the public hearing because the mailings had not been received. Myra has received it. She's reviewed it and assures me that it's complete so unless there's any objection, a motion to close the public hearing and we'll go on with it.

MR. VAN LEEUWEN: I'll so move we make a motion to close the public hearing.

MR. MC CARVILLE: I'll second it.

MR. SCHIEFER: Motion has been made and seconded we close the public hearing on the Baxter Subdivision.

ROLL CALL:

Mr. VanLeeuwen	Aye
Mr. McCarville	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye

MR. SCHIEFER: WE left it open and we didn't want to postpone it last week so after those interruptions, let me hand out the maps.

MR. WASHBURN: What we have is approximately 14 1/2 acres that Mr. Baxter proposes to subdivide into five parcels. The five parcels are, four parcels will be 1.7 acres. The other parcel, lot 5, is approximately 6 acres, I believe, 6 1/2 acres. We have three existing dwellings located on lots 1, 2 and 4. There will be a new dwelling proposed for lot #3. The four lots will be serviced by a private right-of-way, 50 foot wide, which will be privately owned. Are there any questions?

MR. MC CARVILLE: You said you had existing dwellings on lots 1 and 2?

MR. WASHBURN: Existing dwellings with wells and septic on lot 1, 2 and 4.

MR. MC CARVILLE: Where's the existing--this is the existing house?

MR. WASHBURN: Yes.

MR. MC CARVILLE: I'm with you now.

MR. VAN LEEUWEN: Two (2) is being proposed?

MR. WASHBURN: Actually, he's only going to build one but we had to design a septic for the lot 5 anyhow. He's only going to build on lot #3. These are to be deeded off to his sons and daughters.

MR. SCHIEFER: Mark, do you have any comments on the boundaries of the roads going in there?

MR. WASHBURN: Paul Cuomo went over that.

MR. SCHIEFER: Was that resolved to your satisfaction?

MR. EDSALL: I understand what they are doing, just that I want to make sure that the Board agrees that it's clear enough. And then, we'd just have to make sure that the deeds reflect the property break-up of the private road.

MR. WASHBURN: Mark, you met with Paul on this, did you or are all the comments satisfactory? I haven't spoken to Paul since that meeting so kind of out of touch with him.

MR. SCHIEFER: The cul-de-sac has been removed?

MR. WASHBURN: No, the cul-de-sac is there. It's--

MR. SCHIEFER: The existing culvert is to be removed.

MR. EDSALL: They have addressed that concern. If the manner in which the road, private road is divided and how the property line is depicted is acceptable to the Board, really the only issue is that the latest maintenance declaration still needs revisions to 12 and 13. Other than that--

MR. WASHBURN: I'm not even aware of what we are--

MR. EDSALL: It's just the way they are worded. I think they can be misunderstood.

MR. WASHBURN: Al Cavalari, the attorney for Mr. Baxter sent a new draft of the agreement out. I received the

notice today that he sent it out. I don't know if you got it, Andy.

MR. EDSALL: No, the last copy that he evidently prepared was dated 25th of April. The one we sent in the mail was with the same date so--he handed me one at the last meeting and 12 and 13 still I believe need to be cleaned up a little and that can be done after conditional approval.

MR. SCHIEFER: Simple enough that you can straighten it out?

MR. EDSALL: Between Andy and I we can clear up 12 and 13 so it's clear what we want to have.

MR. SCHIEFER: Any other questions, gentlemen, on this?

MR. EDSALL: The last copy, just for the record, was sent out May 20th. I just received it today in the mail but I had gotten a copy from Ron at the last meeting so that is probably why Andy hasn't seen it.

MR. WASHBURN: Still have the two items?

MR. EDSALL: He changed them but I'm not aware.

MR. SCHIEFER: Mark, do you want to give a little bit of explanation on item 4, bedroom count, private road easement, the right-of-way?

MR. EDSALL: I think that it's worthwhile that we, as per what Andy's been doing on recent subdivisions, to review the deeds to insure the proper references are in for the private road declaration as well as review the description to make sure that we have the right split of the private road. My only question is and I indicate in 4 is the Board may be interested in noting within the deed that the bedroom count is limited by virtue of the design of the subdivision. I believe all the bedrooms counts are restricted to three.

MR. SCHIEFER: That's in the--

MR. EDSALL: It's on the plan. What I'm wondering is if there would be a benefit in just referencing that unless it's subsequently amended and reapproved by the Planning Board, that the bedroom counts are limited to three. I know we have had many cases--

MR. WASHBURN: Wouldn't that be up to the Building Inspector that he enforce it only as a three bedroom

unless they come in with a redesign?

MR. SCHIEFER: Please come in before you do it, otherwise you find yourself shutdown.

MR. EDSALL: So it's the Board's choice.

MR. LANDER: I don't think that's going to be a problem.

MR. SCHIEFER: If you're going to change it the Building Inspector will send you back anyway. Determination of significance under SEQRA.

MR. VAN LEEUWEN: I make a motion to declare a negative declaration.

MR. DUBALDI: I'll second it.

ROLL CALL:

Mr. VanLeeuwen	Aye
Mr. McCarville	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye

MR. SCHIEFER: Anything else? I think everything has been addressed that I see here. You gentlemen want to carry this over or make a conditional approval based on the road maintenance agreement?

MR. VAN LEEUWEN: I'll make a motion, Mr. Chairman, that we give conditional approval subject, conditional final approval subject to the things that were mentioned about the road maintenance agreement that they be put in proper order.

MR. SCHIEFER: Before we stamp it, it would have to be agreed upon by Mr. Edsall.

MR. EDSALL: As well we will be getting copies of the description for the deeds.

MR. WASHBURN: What do you want?

MR. EDSALL: What I want to make sure there's two different easements. There's one for the private road and there is another reservation for future extension. The two separate items. And I want to just make sure that that is separate and described

correctly.

MR. WASHBURN: You only want descriptions on the easement itself?

MR. EDSALL: The easements and it all depends. Andy, do you feel it's necessary we see it in the deed descriptions so we see that the private road declarations is properly cross referenced or no?

MR. KRIEGER: Even though we are not dealing with lot description, yes, well we are dealing with that portion of the deed to make sure that the private road--

MR. WASHBURN: Actually two descriptions with the private road description and the other that would suffice. That's recorded in the town.

MR. KRIEGER: But the problem is when the deeds to the individual lots make reference to that. Somebody might not--

MR. WASHBURN: By metes and bounds or by map, it would show and it would come up.

MR. EDSALL: Part of the problem is that if the only reference to the maintenance declaration is on the plan, it gets missed. Quite often, we have seen title companies outright miss it. We'd like to see the cross reference in the deed.

MR. WASHBURN: There's a point where you can over protect and over protecting title companies is not my thing to do.

MR. EDSALL: New Windsor cares to protect the property owners so we believe it is appropriate.

MR. KRIEGER: The reason for the protection self-interest on the part of the town because if you don't, you have people coming in when they discover it, they come back and then they have to take up discussions individually or jointly for the matters that should have been disposed of. On the other hand, I don't want him to have to do that at this point needlessly, six separate deeds.

MR. WASHBURN: If we had to do descriptions of the deeds, I would have to have five lot descriptions, two road descriptions and then each lot would also have to have an exception out of it for the right-of-way. I mean we're talking a heck of a lot of

descriptions.

MR. KRIEGER: You have to do the two road descriptions and the easement anyway. If this property is now covered by one lot, merely including it having the owner deed it to himself as a preliminary step because you may not want to deed it out. If it's deeded to himself, it appears in the chain of title. That's our interest in getting it into the chain of title, rather than say to you you have to make up five new ones or six new ones, whatever the number is. You may be able to tack it on to the present, simply have him deed it to himself, just for the purpose of getting that in the title. Then, it will be picked up later on.

MR. WASHBURN: Deed the overall parcel subject to the right-of-way?

MR. KRIEGER: Yes, making reference to the roads specifically to the road maintenance agreement, subject-to the road maintenance agreement and reciting the road description.

MR. WASHBURN: I'll talk it over with Al Cavalari. I'll do it that way or--

MR. KRIEGER: I'm not, it's not my desire certainly to put the owner to anymore expense and trouble than is absolutely necessary but I think it's absolutely necessary to get this part of the road maintenance agreement into the chain of title and that's so it will be picked up in the future and either way, I'm not, either way well we'll accomplish it so which ever way the owner cares to do it is his election.

MR. SCHIEFER: Which ever way you care to do it, pass it by Andy, Mr. Krieger, and if it's acceptable to Andrew, that will be the second condition on your motion, okay?

MR. VAN LEEUWEN: No problem.

MR. SCHIEFER: Any other discussion?

MR. MC CARVILLE: I'll second it.

MR. SCHIEFER: Motion has been made and seconded that we give conditional final approval to the Baxter Major Subdivision subject to conditions. Any discussion?

5-22-91

ROLL CALL:

Mr. VanLeeuwen	Aye
Mr. McCarville	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye

MR. WASHBURN: I'll have the description and the maps over to Myra within a couple of days and the road description or the maintenance agreement I'll have Al contact you.

MR. KRIEGER: Just have him send out, I never got a copy of the draft, send me a copy of that then I can get up to speed with it.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., WATER, ~~SEWER~~, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____
Subdivision _____ ✓ _____ as submitted by
PAUL CUOMO _____ for the building or subdivision of
HAROLD BAXTER SR. _____ has been
reviewed by me and is approved _____ ✓ _____
disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

[Signature]

SANITARY SUPERINTENDENT

5-17-91

DATE

✓
CC: M.E.

P 395 797 487

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

U.S.G.P.O. 1989-234-555

June 1985

Sent to EDMOND W TRAINOR & ELIZABETH M DONLON	
Street and No. RD 2, 42B, S Jackson Ave	
P.O. State and ZIP Code New Windsor NY 12553	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.29

P 395 797 486

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to JOSEPH EARL SR	
Street and No. RD 2, S Jackson Ave	
P.O. State and ZIP Code New Windsor NY 12553	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.29
Postmark or Date	APR 1991

P 395 797 483

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to ROBERT E & DORIS V KIMBALL	
Street and No. RD 2 Jackson Ave	
P.O. State and ZIP Code New Windsor NY 12553	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.29
Postmark or Date	APR 1991

P 395 797 482

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to JOHN R & JOSEPHINE GIACCO	
Street and No. RD 2 Jackson Ave	
P.O. State and ZIP Code New Windsor NY 12553	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.29
Postmark or Date	APR 1991

P 395 797 615

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to DAVID & KATALIN HARVEY	
Street and No. So Jackson Ave	
P.O. State and ZIP Code New Windsor NY 12553	
Postage	\$.29
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.29
Postmark or Date	APR 1991



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

April 1, 1991

Ronald A. Washburn, Land Surveyor
44-52 Route 9W
New Windsor, NY 12553

Re: Tax Map Parcel #32-2-71
Owners: Harold F. & Margaret N. Baxter

Dear Mr. Washburn:

According to our records, the attached is a list of all properties contiguous to the above mentioned property.

The charge for this service is \$25.00, which you have already paid in the form of a deposit.

Sincerely,

Leslie Cook (signature)

LESLIE COOK
Sole Assessor

LC/po
Attachment

cc: Myra Mason

- ✓ Harvey, David & Katalin
So. Jackson Ave.
New Windsor, NY 12553
- ✓ Giacco, John R. & Josephine
RD 2, Jackson Ave.
New Windsor, NY 12553
- ✓ Kimball, Robert E. & Doris V.
RD 2, Jackson Ave.
New Windsor, NY 12553
- ✓ Earl, Sr., Joseph
RD 2, So. Jackson Ave.
New Windsor, NY 12553
- ✓ Trainor, Edmond W.
& Elizabeth M. Donlon
RD 2, 42B S. Jackson Ave.
New Windsor, NY 12553

5/9/91
Checked cards with list - Checked O.K.

Myra Mason
P.B. Secretary

AFFIDAVIT OF MAILING

STATE OF NEW YORK
COUNTY OF ORANGE
TOWN OF NEW WINDSOR

SS:

PATRICIA JOBSON BEING DULY SWORN,
deposes and says, I am a resident of Town of Newburgh, Orange County
New York and that on the 16th day of
April 1991 I mailed the annexed Notice of Public
Hearing to each of the parties hereinafter named by depositing in
a United States Post Office or official depository at _____
New Windsor, New York a true copy of said notice, each
properly enclosed in a securely sealed, post-paid wrapper, marked
"CERTIFIED MAIL, RETURN RECEIPT REQUESTED", directed respectively
to each of the following parties at the address set opposite
their names:

NAME	ADDRESS
1. DAVID & KATALIN HARVEY,	So Jackson Ave, New Windsor NY 12553
2. JOHN R & JOSEPHINE GIACCO,	RD 2 Jackson Ave, New Windsor NY 12553
3. ROBERT # & DORIS V KIMBALL,	RD 2 Jackson Ave, New Windsor NY 12553
4. JOSEPH EARL SR.,	RD 2, So Jackson Ave, New Windsor NY 12553
5. EDMOND W. TRAINOR & ELIZABETH M DONLON,	RD 2, 42B, S Jackson Ave, New Windsor NY 12553
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	

Sworn before me this

Signed

Patricia Jobson
PATRICIA JOBSON

16th day of April 1991

[Signature]
Notary Public

ALFRED F. CAVALARI
Notary Public in the State of New York
Residing in and for Orange County
Commission Expires Oct. 30, 1991

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on May 8 1991 at 7:30 P.M. on the approval of the proposed _____ (Subdivision of Lands)* ~~(SIXX XXXX)~~* OF Harold Baxter, Sr.

located east side Jackson Avenue (Section 32-2-71) Map of the (Subdivision of Lands) ~~(SIXX XXXX)~~* is on file and may be inspected at the Town Clerk's Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: April 16, 1991

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

Carl Schiefer

Chairman

NOTES TO APPLICANT:

- 1). *Select Applicable Item.
- 2). A completed copy of this Notice must be approved prior to publication in The Sentinel.
- 3). The cost and responsibility for publication of this Notice is fully the Applicants.

PUBLIC HEARING: BAXTER SUBDIVISION (90-59) JACKSON AVENUE

Mr. Ronald Washburn came before the Board representing this proposal.

MR. WASHBURN: Al Cavalari has the return receipts. I couldn't pick them up.

MR. SCHIEFER: Unless we have the official notification, we are going to have to put it off. We have already had them challenged when they weren't all here.

MR. VAN LEEUWEN: What we can do, Mr. Chairman, we can hold the public hearing and adjourn the public hearing, okay, and then look at the receipts to verify them at the next meeting and close the public hearing.

MR. WASHBURN: I'll have the receipts to Myra tomorrow morning.

MR. SCHIEFER: I have no problem with that.

MR. MC CARVILLE: I agree with what Henry says, as long as all the receipts are in order and all parties according to the list that have to respond in order to conduct the public hearing are in place, I have no problem with that.

MR. LANDER: All right, what you are saying is that if people didn't receive those then we'll have another public hearing, all right.

MR. MC CARVILLE: If the receipts aren't there and in the appropriate order, then the public hearing is null and void and we have to go through another public hearing.

MR. SCHIEFER: We just will not close it.

MR. VAN LEEUWEN: I can't see making the man go for another public hearing.

MR. SCHIEFER: If he's ready, the notices have been sent out and the public is notified.

MR. DUBALDI: As long as he has all the receipts.

MR. SCHIEFER: We will not close the public hearing. We'll go through the entire thing. Once you come in, show us the receipts. If they are okay, I'll close it.

MR. WASHBURN: I'll have the receipts to Myra tomorrow morning.

MR. SCHIEFER: Okay.

MR. VAN LEEUWEN: At the next meeting then they'll have to review them. We'll just adjourn the public hearing.

MR. WASHBURN: I'm representing Harold Baxter. What we have is approximately 14 1/2 acres on the easterly side of Jackson Avenue which Mr. Baxter proposes to subdivide it to five parcels. The five parcels or four parcels will contain 1.7 acres. The fifth parcel is approximately 6 1/2 acres. Of the five parcels, three of them have existing houses, lots 1, 2 and 4 have existing houses. They'll be serviced by a 50 foot wide private right-of-way.

MR. MC CARVILLE: I don't think that you have up there, it's the same basic idea.

MR. VAN LEEUWEN: That's a hell of a map.

MR. SCHIEFER: Are there any comments from Members of the Board? If not, I'll open it to the public.

MR. MC CARVILLE: I haven't seen it yet.

MR. SCHIEFER: One lot to be subdivided into five, three existing dwellings, right?

MR. WASHBURN: That's correct. The three existing dwellings contain 1.7 acres. Lot #3 is a proposed dwelling which is also 1.7 acres. He intends to sell these off to his children, who presently live in those houses and that's why we came up with the 1.7 acres per lot because that's what he wanted, equal portions. And then, the remaining piece is 6.5 acres. That will be remaining in his family.

MR. VAN LEEUWEN: Don't they work on the farm or not?

MR. WASHBURN: Yes, they do.

MR. VAN LEEUWEN: Actually, if he's building a house for somebody on the farm, he doesn't have to come to us.

MR. WASHBURN: Right except that he wants to deed these off and get it taken care of that way.

MR. VAN LEEUWEN: As long as it remains under one ownership.

MR. SCHIEFER: Am I missing something or are these lots not identified here?

MR. WASHBURN: Lot #1, put your pen--right straight up, lot 1, lot 2.

MR. SCHIEFER: I see it. I apologize. I didn't notice it, okay. Gentlemen, any questions before we open it to the public?

MR. VAN LEEUWEN: It's on the private road?

MR. WASHBURN: Private road.

MR. LANDER: Is there a maintenance agreement on this road already?

MR. WASHBURN: Yes, we have the maintenance agreement. We went over with Mr. Krieger and also with Mr. Edsall.

MR. KRIEGER: Yes, for the Board's edification, I went over this maintenance agreement a few times with Mr. Cavalari until we got it in the form that I thought was acceptable. And, it's now in that form.

MR. WASHBURN: Configuration of lot #5 appears that you might be questioning that. Baxter owns the land to the south, the land to the east and also some of this to the north so that was just a configuration that was left that he, after the 1.7 acre parcels came out.

MR. SCHIEFER: Mark, is that what you're referring to piece of land that's just left there, you're second comment?

MR. EDSALL: Yes, as you come in the private road, there's a division line, a parcel line up the center to the left. There's a rectangular piece that doesn't appear to be part of the other lots.

MR. WASHBURN: We spoke about that, Mark, that's added to lot #5. That lot is part of lot #5.

MR. EDSALL: Okay, well then the division line has to come out.

MR. WASHBURN: The division line we need for the description of the center line of the right-of-way.

MR. EDSALL: Then you should have the symbols clear so that we know the difference between right-of-way lines and parcel lines.

MR. WASHBURN: The area of lot #5, which is 6.5 acres, includes that triangle.

MR. EDSALL: My only suggestion is that the plan be made more clear.

MR. VAN LEEUWEN: Why did you leave that little triangle?

MR. WASHBURN: Because we are basically going up the center line of the existing driveway. It's a good base.

MR. VAN LEEUWEN: Why don't you clarify that on the map?

MR. WASHBURN: What would you want to be clarified on it?

MR. VAN LEEUWEN: It should say so.

MR. SCHIEFER: We don't want to go to the measurement of that. I tend to agree, if you can clear that up, there's apparently nothing wrong but the map just doesn't depict what the site is.

MR. WASHBURN: You want just a note?

MR. EDSALL: What's confusing is that to the right, you have got the limits of the right-of-way depicted with lines for the right-of-way. And those are light lines. The darker lines are depicting boundary lines, parcel lines. But then, when you get to the beginning of the road, you are using the center line right-of-way depicting and you're using the same dark lines you're using for parcel lines.

MR. WASHBURN: So you want the line lightened up?

MR. EDSALL: Or if you're going to describe the right-of-way by bounds, don't have a center line.

MR. VAN LEEUWEN: Just depict that and I'll make a motion to approve it.

MR. SCHIEFER: This is a public hearing. You're going to fast.

MR. VAN LEEUWEN: You're right, sorry.

MR. SCHIEFER: Any comments from Board members except clarification?

MR. MC CARVILLE: I think we should have a maintenance agreement involving lots 1 through 5.

MR. SCHIEFER: I was just told the maintenance agreement is in place.

MR. MC CARVILLE: I want it on the map.

MR. EDSALL: Did the comments that I had on the maintenance agreement get corrected?

MR. KRIEGER: I believe so.

MR. EDSALL: I'd like to see a copy because I had quite a number of comments.

MR. KRIEGER: Okay.

MR. MC CARVILLE: Should there not be some type of a cross section of what this private road, how it's going to be constructed or--

MR. WASHBURN: This is all the details on the road and profiles and everything.

MR. SCHIEFER: Any other questions from the Board? If not, I'll open this to the public.

MR. MC CARVILLE: I have one further question. I still don't see. I see a lot here on the drainage and so forth. Where's the surface treatment here?

MR. WASHBURN: Here it is.

MR. MC CARVILLE: Thank you.

MR. WASHBURN: We went over that with Mark.

MR. SCHIEFER: Is there anyone here from the public that's been notified and would like to ask a question or make any comments on this? If not, I'll close the public hearing portion of this meeting. Now, I'll give you gentlemen a chance. Do you have any other questions? Any discussion from you two gentlemen?

MR. DUBALDI: No.

MR. SCHIEFER: If not, I'll entertain a motion to adjourn the public hearing.

MR. VAN LEEUWEN: I'm trying to read his comments here. I think they should be addressed. Is there anything in your comments, Mark, that needs to be cleaned up?

MR. EDSALL: Well, there's quite a few comments, some of them involve proper spacing of the sanitary system to wells. One sanitary system is inadequate relative to the perc and the number of bedrooms. We need some more information on the adjoining property north of 5.

MR. SCHIEFER: Have you seen these comments?

MR. WASHBURN: No, I haven't.

MR. SCHIEFER: Could somebody give him a copy so he knows what we are talking about?

MR. WASHBURN: Last work session we went to was a month and a half ago.

MR. SCHIEFER: These are Mark's comments since that time.

MR. EDSALL: Yes, the plan was submitted on April 22nd for this meeting and it was reviewed for this meeting.

MR. VAN LEEUWEN: Why don't you take the map and address the comments and come back and we'll put you on the agenda.

MR. SCHIEFER: If you have no objection.

MR. VAN LEEUWEN: You have to come back.

MR. WASHBURN: We'll be automatically on the Planning Board meeting?

MR. VAN LEEUWEN: As long as those items are discussed but--

MR. SCHIEFER: I would suggest getting in contact with Mark, if there's anything you don't understand and if Mark is satisfied that these have all been addressed--

MR. EDSALL: They are not big items, just clean up the map a little bit.

MR. SCHIEFER: We'll try to get you on the next agenda. Motion to close the public hearing?

MR. VAN LEEUWEN: We have to--

MR. SCHIEFER: I'll entertain a motion to adjourn the public hearing on the Baxter Subdivision.

MR. VAN LEEUWEN: I'll make a motion to adjourn.

MR. DUBALDI: I'll second it.

MR. SCHIEFER: Adjourn the public hearing on the Baxter Subdivision on Jackson Avenue.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye

MR. SCHIEFER: There's two things we are doing a little bit strange, not strange but we need the mailings before you come in again so that we know that the people have been notified. Number 2, address all the comments and make sure at least you run it passed Mark and if that's it, come back and we'll look at it.

MR. EDSALL: Maybe we can take care of item #10 right now.

MR. MC CARVILLE: I make a motion that the New Windsor Planning Board take lead agency in the matter of Baxter Subdivision.

MR. VAN LEEUWEN: I think we did that, didn't we?

MR. MC CARVILLE: Negative declaration.

MR. EDSALL: No, you haven't taken lead agency yet.

MR. VAN LEEUWEN: I'll second that motion.

MR. SCHIEFER: Motion has been made and seconded that the Planning Board of the Town of New Windsor take the position of lead agency on the Baxter major subdivision.

MR. LANDER: I'll second it.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye

5-8-91

ROLL CALL (CONT'D):

Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 15 May 1991
SUBJECT: Harold Baxter, Sr., Subdivision

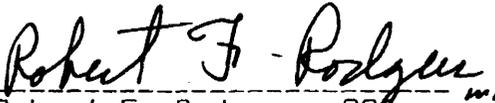
PLANNING BOARD REFERENCE NUMBER: PB-90-59
DATED: 15 May 1991

FIRE PREVENTION REFERENCE NUMBER: FPS-91-037

A review of the above referenced subject subdivision plan was conducted on 15 May 1991.

This subdivision plan is acceptable.

PLANS DATED: 25 March 1991.


Robert F. Rodgers; CCA ^{mr}
Fire Inspector

RR:mr
Att.

✓
cc: M.E.

5-6-91

MAY 15 1991
90-59
Rev. 2.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., ~~WATER~~, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

subdivision _____ as submitted by

Paul V. Cuomo _____ for the building or subdivision of
Harold Barte Sr. _____ has been

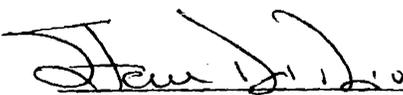
reviewed by me and is approved

disapproved _____.

~~If disapproved, please list reason~~ _____

There is no town water in this area.

HIGHWAY SUPERINTENDENT



WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

✓
C.C.H.E.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW FORM:

The maps and plans for the Site Approval _____ subdivision as submitted by Paul V. ~~Quaranta~~ Cuomo for the building or subdivision of Harold Baxter Sr has been reviewed by me and is approved disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Lyman R. Masten Jr

SANITARY SUPERINTENDENT

May 15, 1991

DATE

CC: M.E.

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Robert F. Rodgers, Fire Inspector
DATE: 2 May 1991
SUBJECT: Harold Baxter Subdivision

PLANNING BOARD REFERENCE NUMBER: PB-90-59
DATED: 22 April 1991

FIRE PREVENTION REFERENCE NUMBER: FPS-91-032

A review of the above referenced subject subdivision was conducted on 2 May 1991.

This subdivision plan is acceptable.

PLANS DATED: 25 March 1991; Revision 1.

Robert F. Rodgers

Robert F. Rodgers; CCA
Fire Inspector

RR:mr
Att.

✓
CC: M.E.

APR 22 1991

Rev. 1

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____
subdivision _____ as submitted by
Paul V. Cuomo for the building or subdivision of
Harold Baxter, Sr has been
reviewed by me and is approved
disapproved _____

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Sumner H. Masten Jr

SANITARY SUPERINTENDENT

April 29, 1991

DATE

APR 22 1991

Rev. 1

4-30-91

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP., D.O.T., O.C.H., O.C.P., D.P.W., ~~WATER~~ SEWER, HIGHWAY, REVIEW FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Paul V. Cronv _____ for the building or subdivision of Harold Baxter _____ has been

reviewed by me and is approved

~~disapproved~~ _____

~~If disapproved, please list reason~~ _____

There is no town water in this area.

HIGHWAY SUPERINTENDENT

[Signature]

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

CC: M.E.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Licensed in New York,
New Jersey and Pennsylvania

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN OF New Windsor P/B # 90-59
 WORK SESSION DATE: 2 April 1991 APPLICANT RESUB.
 REAPPEARANCE AT W/S REQUESTED: No REQUIRED: New Plans
 PROJECT NAME: Baxter
 PROJECT STATUS: NEW _____ OLD X
 REPRESENTATIVE PRESENT: for Washburn
 TOWN REPS PRESENT: BLDG INSP. VAC
 FIRE INSP. Bob
 ENGINEER X
 PLANNER _____
 P/B CHMN. _____
 OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

all w/s 3/19/91 done.
OK for Public Hearing
as soon as they are ready.
Probably 4/24/91



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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MARK J. EDSALL, P.E.

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New Jersey and Pennsylvania

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN OF New Windsor P/B # 90-59
WORK SESSION DATE: 19 Mar '91
REAPPEARANCE AT W/S REQUESTED: yes 2nd APPLICANT RESUB.
REQUIRED: New Plan.
PROJECT NAME: Baxter
PROJECT STATUS: NEW _____ OLD X

REPRESENTATIVE PRESENT: _____

TOWN REFS PRESENT: BLDG INSP. X
FIRE INSP. both
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- add "net" to 1st column of Area table.
- reloc drive lot 5 to 1/2
- fix 1/2 - 9' oil-chip 3' comp. shldr. 3' swale
- app'l box ; note Road Maint - 1-5
- separate 1/2 Row ? future use Row
- call out vacant lands - re well/septic sepa.
- all sond missings.

Probably - Apr 10th



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

20 March 1991

MEMORANDUM

TO: Andrew Kreiger, Esq., Planning Board Attorney

FROM: Mark J. Edsall, P.E., Planning Board Engineer

SUBJECT: BAXTER PRIVATE ROAD MAINTENANCE DECLARATION
NEW WINDSOR PLANNING BOARD NO. 90-59

As per your request, I have reviewed the subject document, as prepared by Alfred F. Cavalari, the Applicant's Attorney. I have the following comments regarding the Declaration:

1. Obviously, the Declaration will need the first paragraph revised, once this application is approved and the revision number and date of the final approved plan are known (at this time, this application has no approvals at all).
2. It should be noted within the Declaration that Lot 5 of the subdivision currently has rights to utilize the private road (as per street specifications of Town Code).
3. Number 1 on page 2 should require that the private road be constructed in accordance with the Town of New Windsor Code.
4. Number 3 on page 2 should require that Baxter will file this agreement in the Town of New Windsor Clerk's office and Orange County Clerk's office.
5. Number 12 on page 5 should clearly indicate that the "other Lands of Baxter" to the west have no right to utilize the private road. The right-of-way is provided for the possibility of the upgrade of the private road to a Town road in the future, which would then provide access to the "other Lands of Baxter". With the road as a private road, the four (4) interior lots of this subdivision "max-out" the use of the private road, per the current Town Law. Further, the right-of-way should be completely separate from the Private Road easement.

20 March 1991

MEMORANDUM

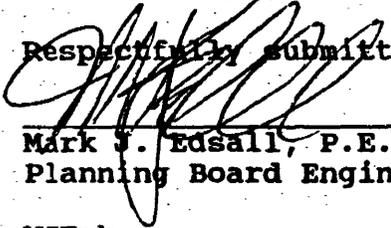
-2-

6. Number 13 on page 5 should be made more clear in that, at maximum, a total of six (6) lots can utilize the private road (four internal and additional two with frontage on Jackson Avenue). As written, number 13 implies that multiple lots can be subdivided from subdivision Lot 5, utilizing the private road; this is not permitted per current code.

I have reviewed some of the items above with the Project Surveyor, Ron Washburn, at the 19 March 1991 Planning Board Work Session. He has requested a copy of this memorandum.

Should you receive a revision of this Declaration and wish me to review same, please forward same and I will make additional reviews. If you have any questions concerning the above, please do not hesitate to contact me.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

cc: Ron Washburn

A:3-20-2E.mk



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CONSULTING ENGINEERS P.C.

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MARK J. EDSALL, P.E.

Licensed in New York,
New Jersey and Pennsylvania

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN OF New Windsor F/B #

WORK SESSION DATE: 12-4-90 APPLICANT RESUB.
REQUIRED: Full

REAPPEARANCE AT W/S REQUESTED: No.

PROJECT NAME: Harold Baxter

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Lor Washburn

TOWN REPS PRESENT: BLDG INSP. SK
FIRE INSP. Bob R.
ENGINEER X
PLANNER
F/B CHKN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Jackson Ave / R-1 Location Plan

Final Bulk Table

etc Probate App decide by
existing Board
OK or must
be improved
to current standards

Clarify who owns road.

delimitate

next mail agenda

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 1 January 1991
SUBJECT: Harold Baxter, Subdivision

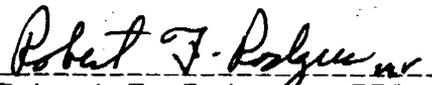
PLANNING BOARD REFERENCE NUMBER: PB-90-59
DATED: 26 December 1990

FIRE PREVENTION REFERENCE NUMBER: FPS-90-115

A review of the above referenced subject subdivision was conducted on 27 December 1990.

This subdivision is acceptable.

PLANS DATED: December 1990.


Robert F. Rodgers; CCA
Fire Inspector

RR:mr
Att.

✓
CC: H.E.

12-27-90

90-59

DEC 26 1990

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Washburn Assoc. _____ for the building or subdivision of
Harold Baxter _____ has been

reviewed by me and is approved

disapproved _____

~~If disapproved, please list reason~~ _____

There is no town water in this area.

HIGHWAY SUPERINTENDENT

John D. De...

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

✓
cc: M.E.

90-59

DEC 26 1990

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
_____ for the building or subdivision of
Harold Baxter _____ has been
reviewed by me and is approved _____
disapproved _____

If disapproved, please list reason _____

Needs Engineered drawing for Septic Systems

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Lyman D. Masten Jr

SANITARY SUPERINTENDENT

Dec. 27, 1990

DATE

CC: M.E.

Planning Board
 Town of New Windsor
 555 Union Avenue
 New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
 Meeting Date _____
 Public Hearing _____
 Action Date _____
 Fees Paid _____

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
 OR LOT LINE CHANGE APPROVAL

1. Name of Project Harold Baxter
2. Name of Applicant Harold Baxter Phone 564-6389
 Address Mt. Airy Road New Windsor, N.Y. 12553
 (Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Harold Baxter Phone _____
 Address _____
 (Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Ronald Washburn Phone 561-4171
 Address 44-52 Route 9W, New Windsor, N.Y. 12553
 (Street No. & Name) (Post Office) (State) (Zip)
5. Attorney _____ Phone _____
 Address _____
 (Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning
 Board Meeting Ronald Washburn Phone 561-4171
 (Name)
7. Location: On the Easterly side of Jackson Avenue.
4300' feet Southerly.
 (Street)
 of Route 207
 (Street)
8. Acreage of Parcel 14± 9. Zoning District R-1
10. Tax Map Designation: Section 32 Block 2 Lot 71
11. This application is for Minor Subdivision

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? No

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership
Section 32 Block 2 Lot(s) 70
Section 54 Block 1 Lot 22

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

Harold Baxter being duly sworn, deposes and says that he resides at Rt #2 Mt. Airy Rd. New Windsor in the County of Orange and State of N.Y. and that he is (the owner in fee) of Sec. 32 Bl. 2 Lot 70
(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this _____ day of _____ 1990
Harold Baxter
(Owner's Signature)

Erwin O. Schelhammer
(Applicant's Signature)

Erwin O. Schelhammer
Notary Public (Title)

ERWIN OTTO SCHELHAMMER
Notary Public, State of New York
Qualified in Orange County
No. 8799700
Term Expires November 30, 1992

PROJECT I.D. NUMBER

617.21

90 - 59

DEC 26 1990

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Harold Baxter	2. PROJECT NAME Same
3. PROJECT LOCATION: Municipality New Windsor County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Town of New Windsor Tax Map Section 32 Block 2 Lot 71 Jackson Avenue	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Minor Subdivision, including 3 existing dwellings	
7. AMOUNT OF LAND AFFECTED: Initially 14 acres Ultimately 14 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: Harold Baxter Date: Nov. 28, 1990	
Signature: Harold Baxter	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.67 If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date

DEC 26 1990

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Harold Baxter, deposes and says that he resides at Mt. Airy Road Road, New Windsor, New York
(Owner's Address)

in the County of Orange

and State of New York

and that he is the owner in fee of Town of New Windsor Tax Map
Section 32 Block 2 Lot 71

which is the premises described in the foregoing application and that he has authorized Ronald A. Washburn to make the foregoing application as described therein.

Date: Dec. 1, 1990

Harold Baxter
(Owner's Signature)

Margaret Baxter
(Witness' Signature)



Ronald A. Washburn

Land Surveyor

44-52 Route 9W
New Windsor, N.Y. 12550

(914) 561-4171

Dec. 7, 1990

Town of New Windsor
Planning Board
Union Avenue
New Windsor, N.Y.

To Whom it May Concern;

This letter is to inform the Board that the parcel that we have applied for Subdivision approval, being known as Town of New Windsor Tax Map Section 32, Block 1, Lot 26.1, is not located in a flood plain area, and as per the Planning Board Engineer, Mr, Mark Edsel, we have not filled out this form.

Very truly yours,

Ronald A. Washburn, P.L.S.

FOR OFFICIAL USE ONLY

Permit No. _____

Fee Received _____

Date _____

_____ of _____

_____ County, New York

Permit Application for Development
in
Flood Hazard Areas

A. General instructions page 4 (Applicant to read and sign)

B. For assistance in completing or submittal of this application contact:

_____, Floodplain Administrator,
(Name)

(Address)

_____, NY () _____

1. Name and Address of Applicant

(First Name)

(MI)

(Last Name)

Street Address: _____

Post Office: _____

State: _____

Zip Code: _____

Telephone: () _____

2. Name and Address of Owner (If Different)

(First Name) (MI) (Last Name)

Street Address: _____

Post Office: _____ State: _____ Zip Code: _____

Telephone: () _____ - _____

3. Engineer, Architect, Land Surveyor (If Applicable)

(First Name) (MI) (Last Name)

Street Address: _____

Post Office: _____ State: _____ Zip Code: _____

Telephone: () _____ - _____

PROJECT LOCATION

Street Address: _____

Tax Map No. _____

Name of, distance and direction from nearest intersection or other landmark

Name of Waterway: _____

PROJECT DESCRIPTION (Check all applicable boxes and see Page 4, Item 3)

Structures

Structure Type

____ New Construction
____ Addition
____ Alteration
____ Relocation
____ Demolition
____ Replacement

____ Residential (1-4 family)
____ Residential (More than 4 family)
____ Commercial
____ Industrial
____ Mobile Home (single lot)
____ Mobile Home (Park)
____ Bridge or Culvert

Estimated value of improvements if addition or alteration: _____

Other Development Activities

____ Fill ____ Excavation ____ Mining ____ Drilling ____ Grading

____ Watercourse alteration ____ Water System ____ Sewer System

____ Subdivision (New) ____ Subdivision (Expansion)

____ Other (Explain)

CERTIFICATION

Application is hereby made for the issuance of a floodplain development permit. The applicant certifies that the above statements are true and agrees that the issuance of the permit is based on the accuracy thereof. False statements made herein are punishable under law. As a condition to the issuance of a permit, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless to the community from suits, actions, damages and costs of every name and description resulting from the said project. Further, the applicant agrees that the issuance of a permit is not to be interpreted as a guarantee of freedom from risk of future flooding. The applicant certifies that the premises, structure, development, etc. will not be utilized or occupied until a Certificate of Compliance has been applied for and received.

Date

Signature of Applicant

_____ of _____
Flood Hazard Development Permit

Administrative Action
Completed by Floodplain Administrator

Proposed project located in _____ "A" zone with elevation
_____ "A" zone without elevation
_____ Floodway
_____ Coastal High Hazard Area (V-Zone)

Base flood elevation at site is _____

Source documents: _____

PLAN REVIEW

Elevation to which lowest floor is to be elevated _____ ft. (NGVD)
Elevation to which structure is to be floodproofed _____ ft. (NGVD)
Elevation to which compacted fill is to be elevated _____ ft. (NGVD)

ACTION

_____ Permit is approved, proposed development in compliance with applicable floodplain management standards.

_____ Additional information required for review. Specify: (i.e., encroachment analysis)

____ Permit is conditionally granted, conditions attached.

____ Permit is denied. Proposed development not in conformance with applicable floodplain management standards. Explanation attached. A variance, subject to Public Notice and Hearing, is required to continue project.

Signature _____ Date _____
(Permit Issuing Officer)

This permit is valid for a period of one year from the above date of approval.

BUILDING CONSTRUCTION DOCUMENTATION

The certified "As Built" elevation of lowest floor (including basement) of structure is _____ ft. NGVD.

Certification of registered professional engineer, land surveyor or other recognized agent, documenting these elevations is attached.

CERTIFICATE OF OCCUPANCY/COMPLIANCE

Certificate of Occupancy and/or Compliance Issued:

Date _____ Signature _____

_____ of _____
_____ County, New York

Development in Flood Hazard Areas
Instructions

1. Type or print in ink
2. Submit _____ copies of all papers including detailed construction plans and specifications.
3. Furnish plans drawn to scale, showing nature, dimension and elevation of area in question; existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. Specifically the following is required: (A) NGVD (Mean Sea Level) elevation of lowest floor including basement of all structures; (B) description of alterations to any watercourse; (C) statement of techniques to be employed to meet requirements to anchor structures, use flood resistant materials and construction practices; (D) show new and replacement potable water supply and sewage systems will be constructed to minimize flood damage hazards; (E) Plans for subdivision proposal greater than 50 lots or 5 acres (whichever is least) must provide base flood elevations if they are not available; (F) Additional information as may be necessary for the floodplain administrator to evaluate application.

4. Where a non-residential structure is intended to be made watertight below the base flood level, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction and certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of the local floodplain management regulations.
5. No work on the project shall be started until a permit has been issued by the floodplain administrator.
6. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory compliance.
7. Applicant will provide all required elevation certifications and obtain a certificate of compliance prior to any use or occupancy of any structure or other development.

Applicant's signature _____ Date _____

CERTIFICATE OF COMPLIANCE
for
FLOODPLAIN DEVELOPMENT

_____ of _____
County, N.Y.
(Applicant shall fill in all pertinent information in Section A
including 1 or 2

SECTION A

Premises location _____

Applicant
Name, & Address _____

Telephone No. _____

Permit No. _____

Variance No. _____

Date _____

CHECK ONE

New Building _____

Existing Building _____

Other (List) _____

1. I certify that I have completed the above project in accordance with the Community's floodplain management regulations and have met all the requirements which were conditions of my permit. I now request completion of this Certificate of Compliance by the program administrator.

Signed _____

Date _____

2. I certify that I have completed the above project in accordance with conditions of variance number _____, dated _____ to the Community's floodplain management regulations and have met all requirements which were a condition of the variance. I now request completion of this certificate of compliance by the program administrator.

Signed _____

Date _____

SECTION B (Local Administrator will complete, file, and return a copy to the applicant.)

Final Inspection Date _____ by _____

This certifies that the above described floodplain development complies with requirements of Flood Damage Prevention Local Law No. _____, or has a duly granted variance.

Signed _____
(Local Administrator)

Date _____

Supporting Certifications: Floodproofing, elevation, hydraulic analysis, etc; (List).

Washburn Associates
44-52 Route 9A
New Windsor, N.Y.

Only copies from the original of this survey marked with an original of the Land Surveyor's inked seal or his embossed seal shall be considered to be valid true copies.

Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation to Section 7209, sub-division 2, of the New York State Education Law.

DESIGN BASIS:

LOT # 3

1. NO. OF BEDROOMS - 3
2. DAILY FLOW - 390 G.P.D.
3. SEPTIC TANK CAPACITY - 1,000 GAL.
4. DESIGN PERCOLATION RATE - 46MIN/IN
5. LENGTH OF ABSORPTION FIELD - REOD- 433 L.F. PROVD- 456 L.F.

LOT # 5

1. NO. OF BEDROOMS - 3
2. DAILY FLOW - 390 G.P.D.
3. SEPTIC TANK CAPACITY - 1,000 GAL.
4. DESIGN PERCOLATION RATE - 40MIN/IN
5. LENGTH OF ABSORPTION FIELD - REOD- 390 L.F. PROVD- 400 L.F.

LOT NO.	NET LOT AREA	AREA IN R.O.W.	SQUARE FEET	TOTAL AREA ACRES
1	74,820	7075	81,895	1.8801
2	74,820	8438	83,258	1.9113
3	74,820	8005	82,825	1.9014
4	74,819	10,427	85,246	1.9570
5	261,970	22,615	284,585	6.5332

Area for widening of Jackson Avenue 9,450 square feet or 0.217 acres.

TOTAL AREA OF SITE 14,400 acres.

PERCOLATION DATA: 2-18-91

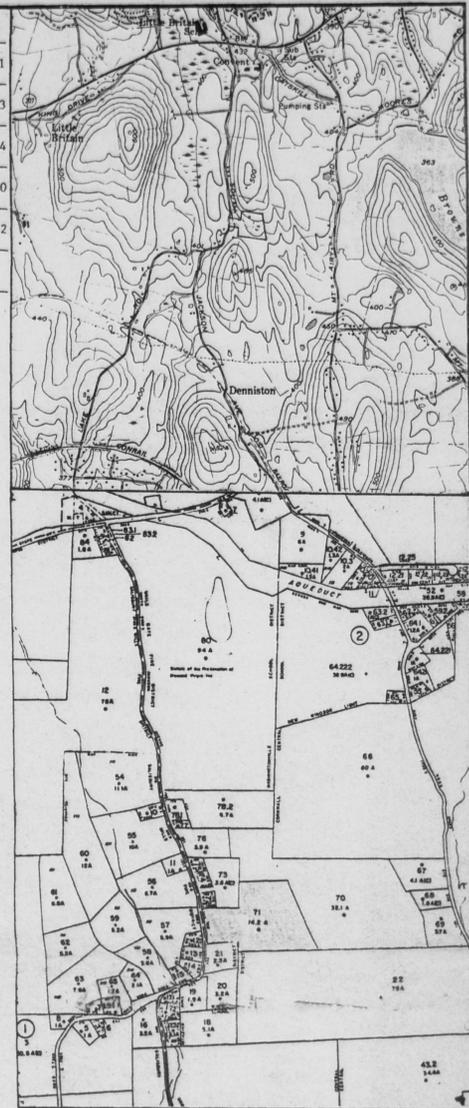
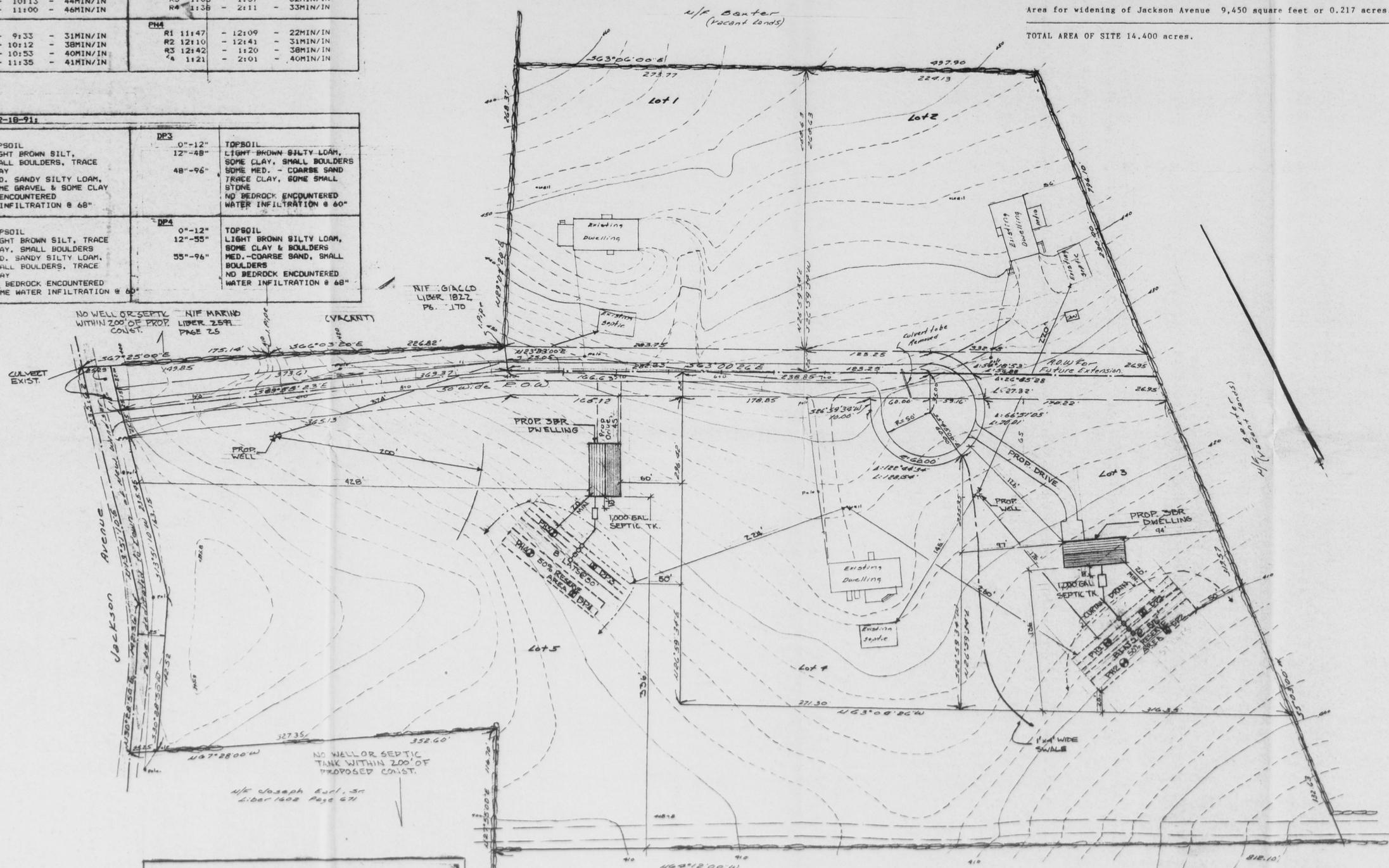
PH1	PH3
R1 8:21 - 8:48 - 27MIN/IN	R1 12:18 - 12:37 - 19MIN/IN
R2 8:49 - 9:27 - 38MIN/IN	R2 12:38 - 1:04 - 26MIN/IN
R3 9:28 - 10:13 - 44MIN/IN	R3 1:05 - 1:37 - 32MIN/IN
R4 10:14 - 11:00 - 46MIN/IN	R4 1:38 - 2:11 - 33MIN/IN

PH2	PH4
R1 9:02 - 9:33 - 31MIN/IN	R1 11:47 - 12:09 - 22MIN/IN
R2 9:34 - 10:12 - 38MIN/IN	R2 12:10 - 12:41 - 31MIN/IN
R3 10:13 - 10:53 - 40MIN/IN	R3 12:42 - 1:20 - 38MIN/IN
R4 10:54 - 11:35 - 41MIN/IN	R4 1:21 - 2:01 - 40MIN/IN

DEEP PIT DATA: 2-18-91

DP1	DP3
0"-8" TOPSOIL	0"-12" TOPSOIL
8"-66" LIGHT BROWN SILT, SMALL BOULDERS, TRACE CLAY	12"-48" LIGHT BROWN SILTY LOAM, SOME CLAY, SMALL BOULDERS
66"-96" MED. SANDY SILTY LOAM, SOME GRAVEL & SOME CLAY	48"-96" SOME MED. - COARSE SAND TRACE CLAY, SOME SMALL STONE
NO BEDROCK ENCOUNTERED	NO BEDROCK ENCOUNTERED
SOME WATER INFILTRATION @ 68"	WATER INFILTRATION @ 60"

DP2	DP4
0"-8" TOPSOIL	0"-12" TOPSOIL
8"-60" LIGHT BROWN SILT, TRACE CLAY, SMALL BOULDERS	12"-55" LIGHT BROWN SILTY LOAM, SOME CLAY & BOULDERS
60"-96" MED. SANDY SILTY LOAM, SMALL BOULDERS, TRACE CLAY	55"-96" MED. - COARSE SAND, SMALL BOULDERS
NO BEDROCK ENCOUNTERED	NO BEDROCK ENCOUNTERED
SOME WATER INFILTRATION @ 60"	WATER INFILTRATION @ 68"



Town of New Windsor Tax Map Section 32 Block 2 Lot 71

The sanitary system and well location shall be inspected during construction and certified to the town of New Windsor as to conformance to design by the design Professional prior to the issuance of a Certificate of Occupancy.

ENGINEERS CERTIFICATION:
The proposed sewage disposal system and water supply system shown are designed in accordance with the standards and requirements established by the New York State Department of Health and the New York State Department of Environmental Conservation for residential lots. The design is based upon actual soil and site conditions found upon the lot at the design location at the time of design.

The private Road is subject to maintenance Declaration filed in the New Windsor Town Clerk's office and the Orange County Clerk's office.

R-1 Zone Applicable Zoning

	Required	Proposed
Min. Area	43,560 Sq. Ft.	See Areas Sq. Ft.
Min. Width	125 feet	200+ feet
Min. Front yd.	45 feet	45 feet
Min. Side yd.	20 feet	20 feet
Both Side yds.	40 feet	25 feet
Min. Rear yd.	50 feet	50 feet
Min. Frontage	70 feet	70 feet
Max. Side, Ht.	35 feet	
Min. Living area	1200 Sq. Ft.	
Percent Coverage	10%	

Record Owner and Subdivider
Harold Baxter, Sr.
Mt. Airy Road
New Windsor, New York

I, Harold Baxter have reviewed this plat and concur.
Harold Baxter 5/28/1991 Date



SUB DIVISION APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON SEP - 3 1991
BY Ronald Lander
RONALD LANDER
SECRETARY

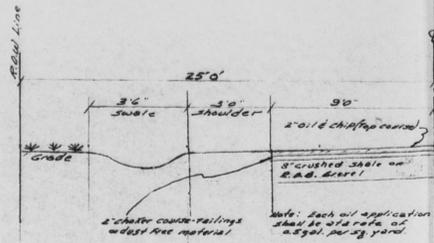
PAUL V. CUOMO, P.E.
STEWART INTERNATIONAL AIRPORT NEW WINDSOR NY

Subdivision Map For
Harold Baxter, Sr.

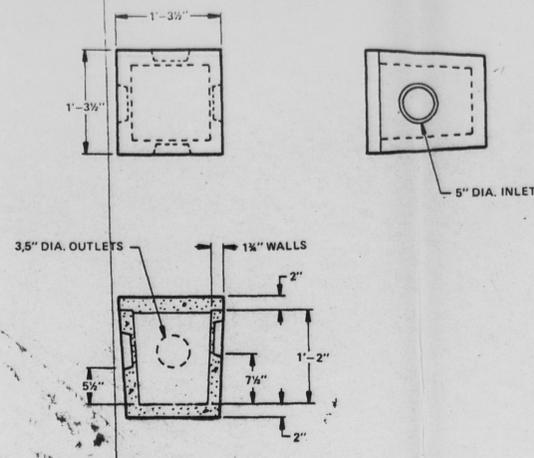
SCALE: 1/50'	APPROVED BY:	DRAWN BY:
DATE: Feb. 1991		
Town of New Windsor Orange Co., N.Y.		DRAWING NUMBER
		4729



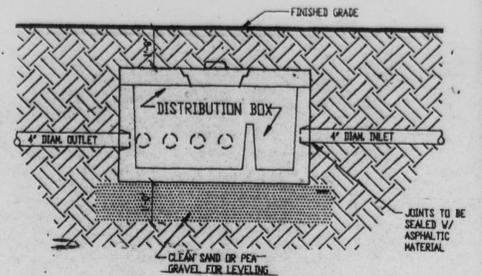
I hereby certify that this is the result of an actual land survey prepared by myself on Nov 1990, and is certified to be true and correct as shown herein.
Ronald Lander
L.S. No. 48368



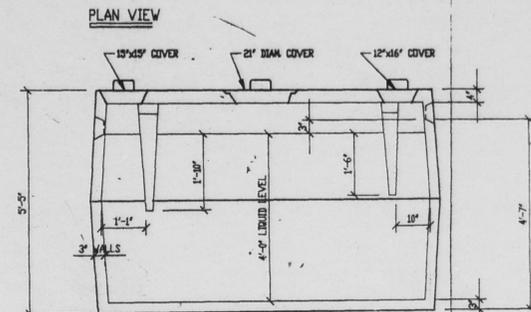
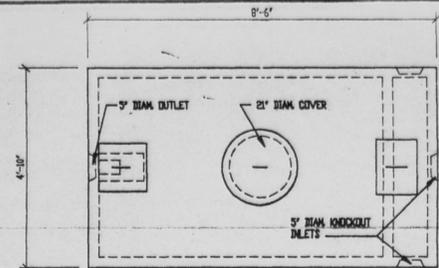
Typical Road Half Section
 NO SCALE



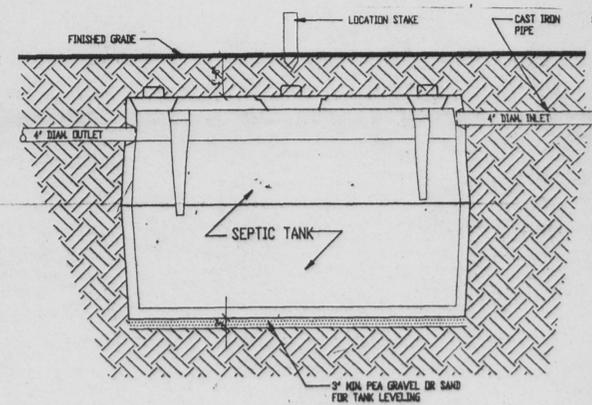
DISTRIBUTION BOX DETAIL
 ROTONDINO & SONS OR EQUAL



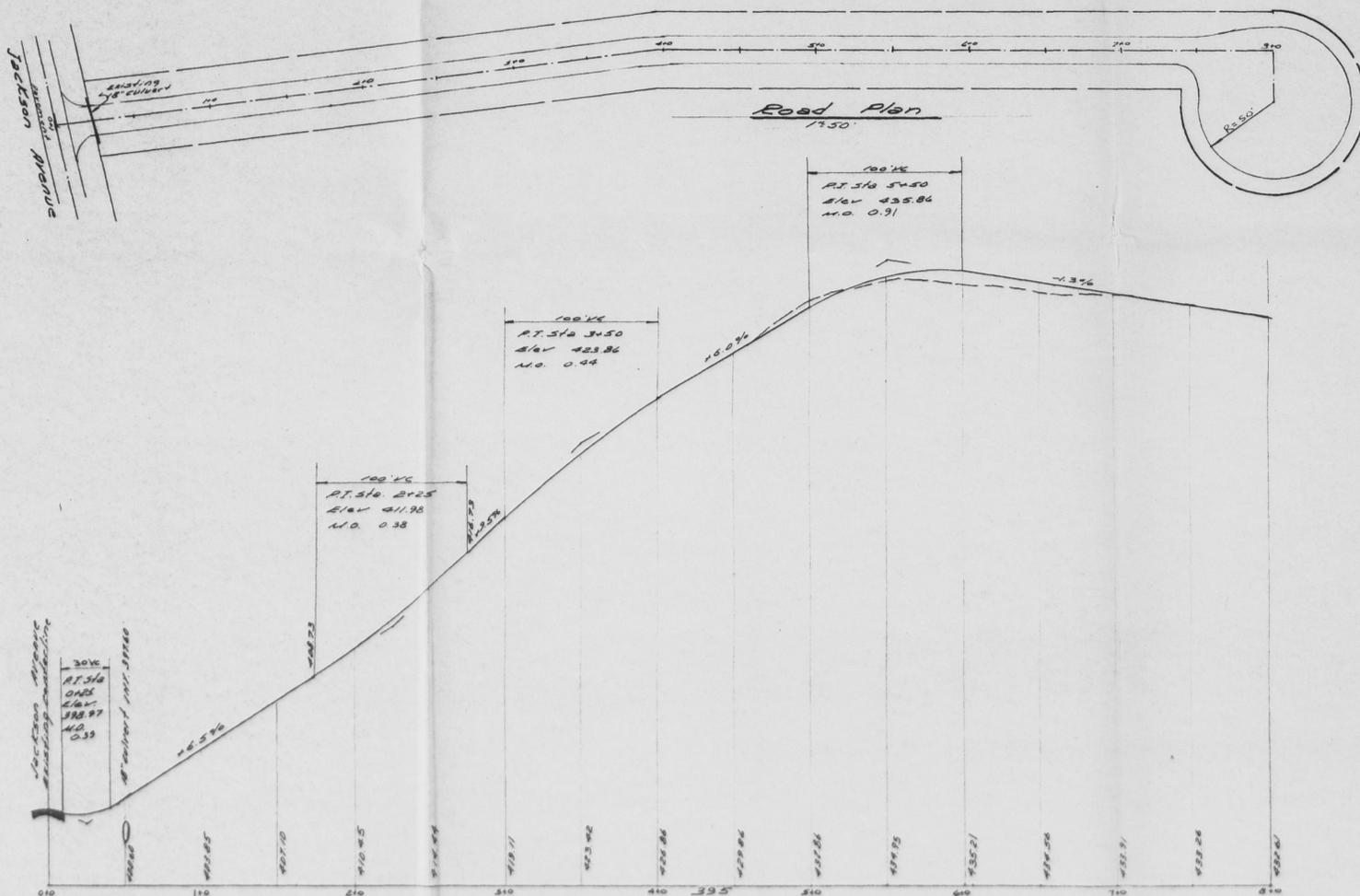
DISTRIBUTION BOX INSTALLATION DETAIL
 SCALE: 1/2"=1'-0"



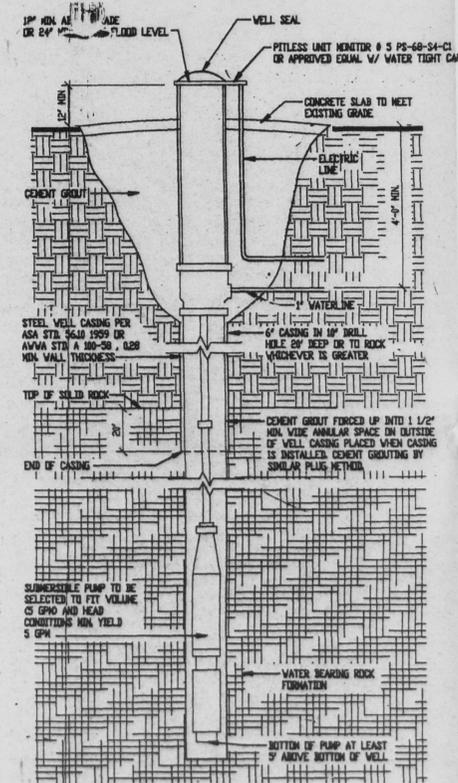
SECTION
 SEPTIC TANK DETAIL
 SCALE: 1/2"=1'-0"



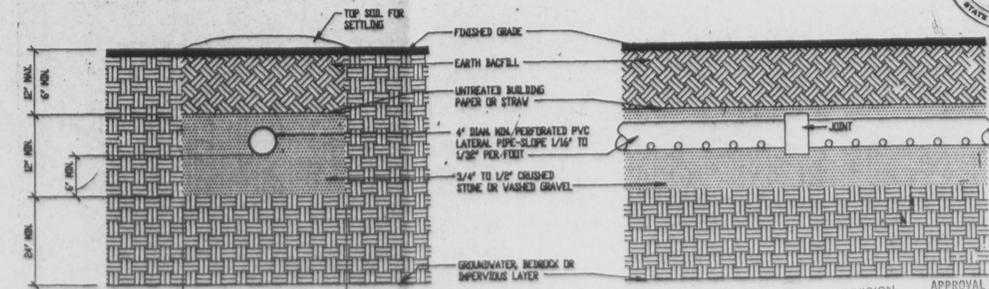
SEPTIC TANK INSTALLATION DETAIL
 SCALE: 1/2"=1'-0"



Road Profile
 Scale Horizontal 1"=20'
 Vertical 1"=5'



WELL DETAIL
 NO SCALE



CROSSSECTION
 LONGITUDINAL SECTION
 ABSORPTION TRENCH DETAILS
 SCALE: 1"=1'-0"

SPECIFICATIONS:
 MINIMUMS 1000 GALLON SEPTIC TANK OR EQUAL
 CONCRETE MINIMUM STRENGTH-4000 PSI AT 28 DAYS
 STEEL REINFORCEMENT-#5@18" O.C. VERT. MESH
 CONSTRUCTION JOINT-SEALED WITH BUTYL RUBBER
 BASE CEMENT PIPE CONNECTION-POLY-LDC SEAL



APPROVAL GRANTED
 BY TOWN OF NEW WINDSOR PLANNING BOARD
 ON SEP 3 1991
 BY *Ronald Lander*
 RONALD LANDER
 SECRETARY

Harold Baxter, Sr.
 SCALE: AS SHOWN
 DATE: 3/25/1991
 APPROVED BY: _____
 DRAWN BY: _____
 TOWN OF NEW WINDSOR ENGINEERS & ARCHITECTS
 DRAWING NUMBER

PAUL V. CUOMO, P.E.
 STEWART INTERNATIONAL AIRPORT NEW WINDSOR, N.Y.